



Chairperson Vice-Chair

DETROIT BOARD OF POLICE COMMISSIONERS

Minutes of the Board of Police Commissioners Meeting Thursday, October 15, 2009

The meeting of the Detroit Board of Police Commissioners was held on Thursday, October 15, 2009 at 3:00 p.m. at Police Headquarters, 1300 Beaubien in Detroit, Michigan.

ATTENDANCE

Board Members Present

Ronald L. Griffin
Mohamed Okdie
Toney Stewart (**ABS**)
Adela Rivera
Jim Holley

Cmdr. Brian Stair
Cmdr. Todd Bettison
Cmdr. Jeffrey Romeo
Lt. Anthony Topp
Lt. Eric Jones
Sgt. Bernard Beck-O' Steen
Sgt. Romel Alexander
Sgt. William Hart
Sgt. Brain Harris
Sgt. Lee Stafford
Sgt. Daran Carey
Sgt. Donald Haight
P.O. Darryl Johnson
P.O. Lucretia Wright

Department Personnel Present

Chief Warren Evans
AC Ralph Godbee
AC Lawrence Meyer
DC Herbert Moreland
DC James Tolbert
DC Jamie Fields
2nd DC John Roach
Cmdr. Gail Wilson-Turner
Cmdr. Janice Butler
Cmdr. Benjamin Lee
Lt. Darryl Brown
Lt. Robbin Bradford
Lt. Lashinda Houser
Sgt. Michael Dailey
Sgt. Nancy Mumford
Sgt. Debra Jones
Sgt. Melinee Long-Thomason
Sgt. William Sims
Sgt. Branden Lewis
P.O. Heshimu Green
P.O. Sophia Nelms
P.O. Terrence Washington

P.O. Lisa Bryson
P.O. Franklin Hayes
P.O. Selina Tolbert
P.O. Kelly James

P.O. LaRon Tonk
P.O. Lashanna Potts
P.O. George Braxton
P.O. Latonya Oliver

Board Staff Present

Dante' L. Goss, Executive Director
Celia Banks-Washington, Attorney/Supervising Inv.
Arnold Sheard, Chief Investigator
Dalph Watson, Director of Police Personnel
Lt. Daniel Allen
Leslie J. Griffin, Community Affairs Coordinator
P.O. Kent Cooper

OTHERS PRESENT

Olline McElroy
Lawanda Ruffin

Ron Scott
Edward Moore

Mr. Bett

RECORDERS

PO Terence Bell
Robert Brown

Lisa Little

1. CALL TO ORDER

Chairperson Griffin called the meeting of the Detroit Board of Police Commissioners to order at 3:01 p.m.

2. APPROVAL OF AGENDA

- Thursday, October 15, 2009

MOTION: Comm. Okdie made the motion to approve the Agenda.

SECOND: Comm. Rivera seconded the motion.

VOTE: All in attendance voted in the affirmative.

3. APPROVAL OF MINUTES

- Thursday, October 8, 2009

MOTION: Comm. Rivera made the motion to approve the Minutes.

SECOND: Comm. Okdie seconded the motion.

VOTE: All in attendance voted in the affirmative.

4. BOPC OFFICER'S REPORT

1. CHAIRPERSON

2. SECRETARY'S REPORT

SUSPENSIONS: Atty. Goldpaugh is here to revisit the SWOP for PO Scott Pessina and PO David Mitchell. There are four closed door sessions. The officers are Lisa Bryson, Badge 707, Terrence Washington, Badge 216, Antoine Ingram, Badge 4069, Vaden Cook, Badge 933.

SUSPENSION WITHOUT PAY OF POLICE OFFICER VADEN COOK, BADGE 933, ASSIGNED TO NORTHWESTERN DISTRICT

On April 17, 2009, the Board of Police Commissioners granted a petition requesting that Officer Cook be suspended without pay for making a false arrest, making a false felony report, and for maliciously destroying the ignition of a Ford Econoline Van owned by Enterprise Car Rental.

On September 15, 2009, a warrant was approved by Assistant Wayne County Prosecutor Tom Dawson, charging Officer Cook with Misconduct in Office (Felony), Making a False Felony Report (Felony), and Malicious Destruction of Property \$200.00 - \$1000.00 (Misdemeanor).

On September 16, 2009, Officer Cook was arraigned in front of the Honorable Steven Lockhart of the 36th District Court. Officer Cook received a \$20,000 personal bond. His Preliminary Exam date is scheduled for October 20, 2009.

On September 24, 2009, Officer Markel contacted Force Investigation and indicated that Officer Cook had been stalking her and leaving her harassing phone calls. Force Investigation subsequently investigated the allegations and confirmed that Officer Cook called Officer Markel on her cellular phone on three separate occasions. Officer Cook left messages demanding that Officer Markel speak to him. Each message became increasingly more agitated and intense. On the last message, Officer Cook threatened to come over her "fucking" house to talk to her one last "fucking" time. Officer Markel also indicated that Officer Cook came to her house and told her that he needed to approve everything she was going to testify to. He also wanted to know what she had told investigators during their interview. When she refused, Officer Cook pulled out a knife and began to clean his fingernails.

Subsequently on September 24, 2009, Officer Markel reported the incident to the Livingston County Sheriff's Department (Jurisdiction of where she lives). Officer Markel also sought a Personal Protection Order (Case #09 42598PH) against Officer Cook.

On September 25, 2009, the Livingston County Sheriff's Department obtained a stalking warrant (#09-2958514) against Officer Cook.

On September 26, 2009, Officer Cook turned himself in to the Livingston County Sheriff's Department. On this same date, he was arraigned on the Stalking charge in front of the Honorable Judge Barbra Geddis, of the 44th District court. Judge Geddis set a \$100,000.00 cash bond. Officer Cook currently remains in the custody of the Livingston County Sheriff's Department.

Based upon the above facts and circumstances surrounding the aforementioned circumstances, writer recommends that Officer Cook be charged with, but not limited to the following violation of department policy and procedures:

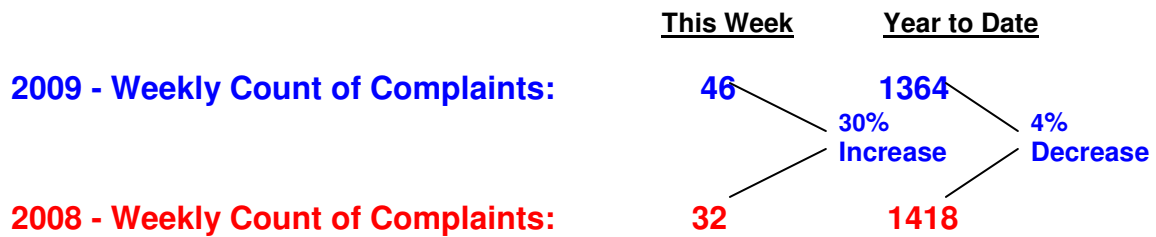
CHARGE: CONDUCT UNBECOMING AN OFFICER, CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS; THIS BEING IN VIOLATION OF THE 2003 DETROIT POLICE DEPARTMENT MANUAL SERIES 100, DIRECTIVE 102.3 – 7.9, CONDUCT UNPROFESSIONAL, COMMAND 1.

Due to the seriousness of the conduct, I am requesting your concurrence with the suspension of Police Officer Vaden Cook without pay, effective October 15, 2009.

Unless contravened by this Board the suspension without pay shall stand.

There were no contraventions.

CITIZEN COMPLAINTS RECEIVED



- The Office of the Chief Investigator has a total of 1,132 active investigations, of which 878 of those are for 2009. A total of 1,495 investigations have been closed since January 1, 2009.

TOTAL WEEKLY ALLEGATIONS & COMMAND

Total	COMMAND	ALLEGATIONS									Total
CCR	W/E 10/15/09	Arrest	Demeanor	Force	Harassment	Entry	Procedure	Property	Search	Service	Allegations
3	CENTRAL		2				1			1	4
6	EASTERN		4	5			2				11
2	NORTHEASTERN						2	1			3
1	NORTHWESTERN									1	1
3	SOUTHWESTERN		2	1			1			1	5
1	ACADEMY		1				1				2
5	COMMUNICATIONS		4							1	5
2	GANG ENFORCEMENT		1	1			1		1	1	5
1	HOMICIDE						1				1
1	TACTICAL		1				1				2
2	TRAFFIC		1				2				3
1	SPECIAL RESPONSE*		1								1
10	UNKNOWN		5	3	1		3			2	14
3	6TH PRECINCT		3	1			2				6
2	10TH PRECINCT*		2							1	3
4	12TH PRECINCT			3			2		1		6
47	*Multiple Com/Alleg.		27	14	1		19	1	2	8	72

5. PRESENTATION/REPORT-CHIEF OF POLICE

October 15, 2009

Volume 5, Issue 42

Detroit Police Department

Report to the Board of Police Commissioners



Special Points of Interest:

- Next meeting:

Thursday, October 22, 2009

@ 3:00 P.M.

Detroit Police Department
1300 Beaubien #328
Detroit, Michigan 48226

“Building a Safer Detroit Through Community Partnerships”

The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the joint commitment of the community and the Police Department. We appreciate and value the role our citizens have played in helping us to take the guns and drugs off the streets of the city of Detroit.

SPECIAL ENFORCEMENT ACTIONS

Domestic Violence

On October 8, 2009, officers of the Northeastern District responded to the 8000 block of Traverse on a “Family Trouble” run and a subject was arrested. As a result of the investigation conducted by members of Domestic Violence, the subject was charged with “Assault with a Dangerous Weapon (Felony Assault), Domestic Violence, and Habitual Offender 3rd.”

Inside this issue:

Narcotics/Gang Enforcement 1

Domestic Violence 1

Southwestern District 2

Eighth Precinct 2

Eastern District 2

Northeastern District 2

Sixth Precinct 2

Engaging the Community

Citizens wishing to make a police report may do so at the District/Precinct stations in the city of Detroit. Citizens may also utilize the following District Mini/Sub-Stations to make reports.

	<u>Location</u>	<u>Hours of Operation</u>	<u>Telephone</u>
	1300 Beaubien	24 Hours	596-5100
	20500 Conant	* 3 p.m. to 9 p.m.	892-5456
	7737 Kercheval	* 8 a.m. to 2 p.m.	628-2121
	19810 Grand River	* 9 a.m. to 9 p.m.	870-0649
	13530 Lesure	8 a.m. to 11 p.m.	596-5300
	2575 S. Schaefer	* 3 p.m. to 9 p.m.	297-9423
	20 Atwater	24 Hours	237-2850
	13206 E. Jefferson	* 3 p.m. to 9 p.m.	821-5851
	22101 Moross (St. John Hospital)	* 3 p.m. to 9 p.m.	343-7506
	14700 Mack	* 3 p.m. to 9 p.m.	852-4046

* Mini-Stations– Monday –Friday

October 15, 2009

Police / Community Intervention

Page 1

Eight Precinct

On October 6, 2009, officers of the Eighth Precinct responded to the 18000 block of West 8 Mile Road on a "Person Shot." Subsequent to their investigation, a subject was arrested and charged with "Assault with Intent to Murder, Assault with Intent to do Great Bodily Harm, Felonious Assault, and Felony Firearm." A weapon was recovered.



Eastern District

On October 6, 2009, while on patrol, officers of the Eastern District arrested a subject, in the 11000 block of Christy, who was in possession of a vehicle that was stolen the previous day. The subject was charged with "Robbery Armed, Carjacking, and Felony Motor Vehicle Advisory." The vehicle was recovered.



Northeastern District

On October 8, 2009, officers of the Northeastern District responded to the 19000 block of Buffalo on a "Person Wanted for Assault with Intent to Murder." As a result of their investigation, a subject was arrested and charged with "Assault with Intent to Murder, Felonious Assault, Felon in Possession, Discharge of a Firearm in an Occupied Building, Felony Firearm, and Habitual 3rd."

Sixth Precinct

On October 6, 2009, officers of the Sixth Precinct responded to the 8000 block of Fielding on a "Home Invasion" in progress. Due to the officers' quick response, the subject was arrested and charged with "Home Invasion 2nd and Larceny in a Building." All of the stolen property was recovered. Further investigation revealed the subject is responsible for 16 additional Home Invasions.



EXECUTIVE APPOINTMENT OF COMMANDER GAIL WILSON-TURNER TO THE RANK OF DEPUTY CHIEF

MOTION: Comm. Griffin made the motion to approve the Appointment.

SECOND: Comm. Rivera seconded the motion.

VOTE: All in attendance voted in the affirmative.

EXECUTIVE APPOINTMENT OF LIEUTENANT DARRYL S. BROWN TO THE RANK OF INSPECTOR

MOTION: Comm. Okdie made the motion to approve the Appointment.

SECOND: Comm. Rivera seconded the motion.

VOTE: All in attendance voted in the affirmative.

PRESENTATION/DISCUSSION FROM LABOR & LEGAL AFFAIRS

SEE ATTACHMENT

6. STANDING COMMITTEE REPORTS

There were no standing committee reports.

7. NEW BUSINESS

1. REQUEST FOR APPROVAL TO ACCEPT AND EXPEND DONATIONS RECEIVED BY THE DETROIT POLICE DEPARTMENT

MOTION: Comm. Rivera made the motion to approve the Grant.

SECOND: Comm. Okdie seconded the motion.

VOTE: All in attendance voted in the affirmative.

SEE ATTACHMENT

8. OLD BUSINESS

There was no old business.

9. ANNOUNCEMENT OF NEXT MEETING

Thursday, October 22, 2009
Police Headquarters
1300 Beaubien Rm. 328-A
Detroit, MI 48226

10. ORAL COMMUNICATION FROM THE AUDIENCE

SEE ATTACHMENT

ATTACHMENTS

Board of Police Commissioners Meeting
October 15, 2009
3:00 p.m.

CHAIRPERSON GRIFFIN: Good afternoon, everyone.

Calling the Board of Police Commissioners meeting to order. I'm Commissioner Ronald Griffin. I have with me Vice-Chair Board Commissioner Okdie, Commissioner Rivera, and our newly appointed Commissioner, Reverend Jerome Warfield. I don't see the Chief. Commander Gail Wilson-Turner is sitting in for Chief Evans. We have Dante' Goss, our Executive Director, Celia Banks-Washington, the Supervising Attorney, I thought I saw her; she's somewhere coming, Arnold Sheard, Chief Investigator, Dalph Watson, Director of Police Personnel. I don't see Lieutenant Daniel Allen. Leslie Griffin, I don't see her, and I don't see Police Officer Kent Cooper. We have Robert Brown and Police Officer Terence Bell, whom are recorders, and Ms. Little whose a

court reporter, commissioner court reporter. I'm glad to have everyone here today.

We have a full agenda. We want to expeditiously move forward. Request for approval of the agenda.

COMMISSIONER OKDIE: So moved.

COMMISSIONER RIVERA: Second.

CHAIRPERSON GRIFFIN: All those in favor acknowledge with the usual sign of aye.

COMMISSIONER: Aye.

CHAIR PERSON GRIFFIN: All those opposed say nay.

(No nays were present or recorded. **October 15th, 2009 agenda was approved.**)

CHAIRPERSON GRIFFIN: Request for approval of the minutes.

COMMISSIONER RIVERA: So moved.

COMMISSIONER OKDIE: Support.

CHAIRPERSON GRIFFIN: All in favor acknowledge with the usual sign of aye.

COMMISSIONERS: Aye.

CHAIRPERSON GRIFFIN: All those opposed say nay.

(No nays were present or recorded. **October 8th, 2009 minutes were approved.**)

CHAIRPERSON GRIFFIN: We have a report. I guess this comes from the Chief; is that correct?

COMMISSIONER OKDIE: Yes, he's coming now.

CHAIRPERSON GRIFFIN: Okay. If this wasn't a community-civilian-appointed board, I would have everyone to rise when the Chief comes in, but we won't do that. Right on time Chief Evans. We're at the point in the agenda where you can bring forth your request for our support for the two personnel actions that you would like to take.

CHIEF EVANS: Okay. Absolutely. The first personnel action or request I made is for the promotion of Gail Wilson-Turner, who is currently our Commander in the Detroit Police Department, to the rank of Deputy Chief. I am excited about the opportunity to have her there. She will keep the same duties she has now with other piled on duties. It will be significant particularly in medical. As you know, we have a number of issues there with a number of people who have been off for prolonged periods of time. We're trying to get some status with respect to those folks, either back to work or off the payroll, so we can bring in some others who will work for a living. So I am very much looking forward to her promotion and would ask for your concurrence with that recommendation.

CHAIRPERSON GRIFFIN: So moved.

COMMISSIONER RIVERA: Second.

CHAIRPERSON GRIFFIN: Please acknowledge by the usual sign of aye.

COMMISSIONERS: Aye.

CHAIRPERSON GRIFFIN: All those opposed say nay.

(No nays were present or recorded).

CHAIRPERSON GRIFFIN: So ordered.

**(Chief Evans' request for promotion of
Commander Gail Wilson-Turner to Deputy Chief
was approved.)**

CHAIRPERSON GRIFFIN: The second request.

CHIEF EVANS: The second one is the promotion of the Lieutenant of our Gang Enforcement Unit now to the rank of Inspector. Lieutenant Darryl Brown, I think I see him in the back, hopefully Inspector Darryl Brown at the end of this day. I'm extremely impressed with his enforcement work. We have visions of putting tactical, mobile, and traffic enforcement in his world. As I said from day one, we can spend our lives chasing crimes that have already been committed, or we can make a strike force and get out in front of them and try to curtail some of the violence before it gets there. I can't think of anybody better positioned now to do that. So I'm recommending your concurrence in the promotion of Lieutenant Darryl Brown to the rank of Inspector.

COMMISSIONER OKDIE: So moved.

COMMISSIONER RIVERA: Second.

CHAIRPERSON GRIFFIN: All in favor please
acknowledge by the usual sign of aye.

COMMISSIONERS: Aye.

CHAIRPERSON GRIFFIN: All those opposed say nay.

(No nays were present or recorded.)

CHAIRPERSON GRIFFIN: So ordered.

**(Chief Evans' request for promotion of
Lieutenant Darryl Brown to Inspector was
approved.)**

CHAIRPERSON GRIFFIN: Would you like to have both
of those individuals come forward.

CHIEF EVANS: DC.

CHAIRPERSON GRIFFIN: Only if you're interested
Lieutenant.

DEPUTY CHIEF WILSON-TURNER: Commander Gail
Wilson-Turner. Thank you so much Chief and thank you so much
Board for concurring with the Chief's recommendation to make me
a Deputy Chief. I do appreciate that and I thank you all.

COMMISSIONER OKDIE: Before you go, I met your dad
today.

DEPUTY CHIEF WILSON-TURNER: I heard. He told me.

COMMISSIONER OKDIE: Okay.

INSPECTOR BROWN: Thanks, Chief. Thanks, Board.

POLICE OFFICER BELL: Need your name for the record, sir.

INSPECTOR BROWN: Lieutenant Brown.

POLICE OFFICER BELL: No, you're not.

INSPECTOR BROWN: I'm Inspector Brown for the Detroit Police Department. I appreciate and thank you, and I know too much is given much is received. I expect to be before the Board on many occasions, but doing a lot of positive things for the City of Detroit. Thank you.

CHAIRPERSON GRIFFIN: Very good.

COMMISSIONER OKDIE: Congratulations.

CHAIRPERSON GRIFFIN: Congratulations to the both of you. Secretary's report.

EXECUTIVE DIRECTOR GOSS: Commissioners, we have some closed door sessions that will be brought up at the end of the meeting. Attorney Goldpaugh, would like to revisit some suspensions without pay, and I believe we'll do that also at the end of the closed door sessions.

COMMISSIONER OKDIE: Point of order, Mr. Chair.

CHAIRPERSON GRIFFIN: Yes, sir. The Chair recognizes the Vice-Chair Commissioner Okdie.

COMMISSIONER OKDIE: Why are we waiting until the end of the meeting to do this?

EXECUTIVE DIRECTOR GOSS: For closed door? Did you want to do all the suspensions at one time?

COMMISSIONER OKDIE: Why can't we just do them all now? I'm just curious. Why do we want to do it at the end of the meeting?

EXECUTIVE DIRECTOR GOSS: The closed door session normally takes about an hour, especially with four suspensions without pay. So we normally wait to the end of the meeting so we can let the citizens speak.

COMMISSIONER OKDIE: I think the citizens need to know about it, don't you? I mean, we can do it at the end of the meeting, but I think everybody's going to stay anyway, that's fine.

CHIEF EVANS: If I could, I don't have a dog in this fight one way or the other, but I think when you have a closed door session it means that everybody has to get out except for the people that are key.

COMMISSIONER OKDIE: We're not doing closed door.

CHIEF EVANS: I thought that's what he said.

CHAIRPERSON GRIFFIN: We are.

COMMISSIONER OKDIE: We are, okay. Sorry, I didn't know we were doing closed door sessions.

SUPERVISING ATTORNEY WASHINGTON: Celia Washington. Just as a point of clarification. I believe that there are four

closed door sessions, but there's the one that Director Goss is mentioning, that is a revisit. That is not a closed door session, and that's the one that involves a provision that we discussed. That is not a closed a door, as I understood it.

CHAIRPERSON GRIFFIN: Let's do this. We're going to do the closed door sessions as we have done in the past, and then let's get clarification on the other in terms of how we're going to deal with that. Thank you. Also you have a special report.

EXECUTIVE DIRECTOR GOSS: Yes, sir.

CHAIRPERSON GRIFFIN: Make it brief, but please give--let me say this so that you'll understand what you're about to hear. I had on the record given direction to the secretary--excuse me, Executive Director Goss to prepare some explanation of the report that he gives every week that nobody really knows what he's talking about, and I think the community needs to know. The report that he gives emanates from the work that the Office of the Chief Investigator does in response to community complaints. That's when the community fills out a citizen's report and it comes up through the labor intensive process that it does. The Office of the Chief Investigator goes out and investigates the complaints that citizens have brought forward, and the data is then brought into Mr. Goss' office, and he just reports on numbers. I have, on record, given direction

that he needs to talk about some of the statistics and what we find out by doing those reports. So he's going to give a brief report today, and this will be ongoing. This is not a one-time situation. No longer will we simply give the report that says here's how many cases are old and we have from last year, and here's how many cases we have from this year and so on. So the appropriate analysis will be brought forth. So your brief report, please, on just what the data has shown.

EXECUTIVE DIRECTOR GOSS: First, I want to give some background on the Office of the Chief Investigator. The Office of the Chief Investigator has one chief investigator, three supervisors, four senior investigators, three sergeants, and 11 investigators.

The Board has a significant backlog, and through the direction of the Chair, we have implemented a few ideas to get rid of the backlog. That is requiring the investigator staff to work a minimal of ten hours overtime and no more than forty in a given month. It has also revamped the reporting process of the final investigations to an one-page document, which takes at least ten days off the average investigation. The staff receives additional training from the Office of Civil Rights and from the police department. There is also the implementation of electronic notification of Garrity interviews, and also staff access to electronic desk blotters and the

Tiboron system which houses the telephone recordings and run activities of police units. Also twice weekly CCR's are sent to OCI from all commands instead of once a week.

Quickly on statistics. The average count of complaints from 2008 was 1,735. The total allegation was 3,838. The majority of the allegations were from procedure and demeanor. The same time for 2009 we have a total of 2,924 complaints and the average procedure was 1,005 and demeanor was 987. So those are the two major issues.

CHAIRPERSON GRIFFIN: Give this Board and the community some idea--not ideas, some specifics or examples of when you say demeanor and procedure with respect to the complaints. What do the citizens say about demeanor?

EXECUTIVE DIRECTOR GOSS: Demeanor normally is when the officer is rude to them or the citizen believes that the officer is rude to them. Maybe the officer cursed them out or just had an aggressive tone to the citizen. And procedure could be any type of police action that they feel was taken improperly.

CHAIRPERSON GRIFFIN: Explain also, if you will, and if necessary call Chief Investigator Sheard to the podium, talk about the investigative process and some of the challenges that the investigators face when they go out to do the investigations.

EXECUTIVE DIRECTOR GOSS: I'll turn it over to Chief Investigator Sheard.

CHIEF INVESTIGATOR SHEARD: Arnold Sheard, Chief Investigator. Some of the challenges we meet most often, and one of the most preeminent challenges we meet, are that citizens frequently don't respond after they make the initial complaint where we exhaust a large amount of manpower or man hours trying to track that individual down to ultimately conclude an investigation with reference to the initial allegation. However, we have been in discussion with the Internal Affairs Division, and we are refining that with a P.I. process, which is a step up in the two-tiered process, which is in discussion now; whereby, some of those cases will fall into a certain category and will not escape the preliminary investigative process, unless we get more cooperation from the one or the citizens who have initiated that complaint, or if they do provide that information, they will be closed pending additional information from that citizen so that we can move forward.

CHAIRPERSON GRIFFIN: I'm going to speed it up. I'm looking for something. It's not to rush through this, but that doesn't say a lot. What we need to talk about is the fact that when your investigators go out, the citizens, after having made that complaint, are difficult to impossible to track down.

CHIEF INVESTIGATOR SHEARD: That is correct.

CHAIRPERSON GRIFFIN: Once we track them down, they don't want to talk about it or for any number of reasons; they back away from their original complaint. Now, it's conjecture, Chief, with respect to why that is whether it's a matter of trust. We don't know all of the reasons. We suspect some, but we don't know all of the reasons why that happens. So we want to address that because I think that really kind of condemns the process because the point is: if in fact the citizen believes that they have been wronged, that's an avenue or mechanism for them to complain about it and for us to investigate it and to take the appropriate action.

My review and analysis of the report shows that in some instances, the demeanor also goes to the fact that there was a legitimate traffic stop, that is the officer or officers have legitimately stopped the citizen for a traffic violation, and therefore, no one is ever happy to get a ticket, so some of that occurs. In some other instances, for example, nearly every case that I read that the citizen said that the officer used profanity, and I brought this up before--it's a little--it's not funny, but in every single case, Chief, when they did a Garrity and did all the investigation, the officers said absolutely not they never used profanity. Okay.

I'm giving you some feel for what goes on. There is a correct way to do police work. You need to understand, and

officers need to understand this, that with demeanor you've been trained properly, but I know from my own experience that what sometimes the community refers to as demeanor is really the police officer securing the situation. They're not saying, "Good afternoon, how are you?" in all instances. They're securing the situation. In a legitimate traffic stop, if you see occupants of an automobile, for example, with tinted windows and you see movement inside the automobile, I can promise you that the officer more than likely is not going to be questioning, "Are you having a good day?" That's not demeanor. That's good police work, but there's a line that's drawn, and in some instances, the officers have crossed that line. Those are the kinds of things that we get in the complaints, and those are the kinds of things that we're going to be addressing. The Chief has already made the request that we forward to his office patterns and trends coming out of this analysis so that he can take appropriate action what action needs to be taken, and at the same time, that will protect the officer or officers who are doing the job that they're supposed to do.

So I wanted to put that on the record today so you understand when we give these reports, they mean something. I'm going to suggest that I have at least on a monthly basis that we report any aberration or anything that comes out of that, that

we think is unusual that we bring it to the Chief's attention.

Thank you so much. Any questions of the Board?

(Commissioner Rivera raises a private
question with Chairperson Griffin.)

CHAIRPERSON GRIFFIN: The question that the
Commissioner raised is that we want to address the fact that we
have a backlog of these complaints and how that affects us with
the Consent Decree, and we'll come back to that at another time.
That's another issue we will talk about where the Board of
Police Commissioners are with respect to our own accountability
with respect to the Consent Decree. Thank you. Chief, back to
you. I believe we have a presentation today from Labor and
Legal Affairs.

CHIEF EVANS: Thank you, Mr. Chair. The
presentation will be conducted by Deputy Chief Gail
Wilson-Turner.

DEPUTY CHIEF GAIL WILSON-TURNER: This is very
brief. It's not that long. Good afternoon. I'm Deputy Chief
Gail Wilson-Turner. I'm in charge of legal affairs and this is
a very brief presentation on what I do and what my office does.
Primarily in legal affairs this is some of the things we do. We
perform research, we provide legal opinions to the department,
we also advise the Chief of Police and any other entity
regarding labor and legal affairs and any legal issues dealing

with contracts. We deal with contracts - the DPDSA, which is the Detectives and Sergeants Association, the DPOA, which is the Detroit Police Officers Association, and the DPCOA, which is the Detroit Police Command Officers Association. So we're involved in contract negotiations with all three of those entities.

Under labor relations, we do have some sub entities, and I basically went over that just to tell you that I work very closely with the law department. They advise us. They help us interpret the contracts if there is a misunderstanding about a certain provision. So they assist and train our members as well as the supervisors of the Detroit Police Department if we have issues involving a contract. Labor relations also coordinates throughout the department. Right now we've been involved in splitting up the districts into precincts. We just finished doing the 6th and 8th Precincts. We have three others to do so we sit down and go through all the rules of the contract with the labor union and also with the department executives letting them know we're getting ready to do something as far as if it's going to affect the whole department.

Police Law. Police law is where the officers go to sign up for legal representation and also the law department provides--for the law department, they also go ahead and they do the four-year requests throughout the department. So they run

around the entire city. They run around to different precincts and districts and all the places they need to in order to gather documents for the law department so that they can give those to the law department for distribution to entities that requested the four-year requests.

Disciplinary Administration. As Reverend Griffin was talking about some of the backlog of cases, I'm given charge of reading all of the misconduct reports that are sent from OCI and from all the precincts in the district and also from the internal affairs section. I do review all those misconduct reports, and then I sit down with disciplinary administration and we decide, based on the contract, whether we will be going before the trial board, does it go to a commander's action, is it to a point where the administrator needs to impose, and we place those and get those through the system. I try to do those timely, and we maintain all the statistics regarding disciplinary administration. Any questions? That was very brief, but basically in a nutshell that's what I do.

CHAIRPERSON GRIFFIN: Questions from the Board?

COMMISSIONER RIVERA: I have just one point of clarification. Our Legal Affairs Unit is not the City Law Department; those are two separate units?

THE COURT: That is correct. Any other questions?

(No other questions were raised.)

CHAIRPERSON GRIFFIN: Thank you.

DEPUTY CHIEF WILSON-TURNER: Thank you.

CHAIRPERSON GRIFFIN: Standing Committee Reports.
New Business. There's a request for approval to accept and
extend donations received by the Detroit Police Department.
Would you read that for us, please, Commissioner Rivera.

COMMISSIONER RIVERA: The Detroit Police Officers
request authorization to establish an appropriation in order to
accept and appropriate monetary donations received by an agency.
The donations will be used to enhance operations by offsetting
expenditures or enabling the purchase of law enforcement related
items as requested by the donor. I'm requesting the Board's
authorization and seek permission and approval of the Honorable
Detroit City Council.

CHAIRPERSON GRIFFIN: Need a motion.

COMMISSIONER RIVERA: So moved.

CHAIRPERSON GRIFFIN: Support.

COMMISSIONER OKDIE: Support.

CHAIRPERSON GRIFFIN: Questions?

COMMISSIONER OKDIE: I have a question.

CHAIRPERSON GRIFFIN: Yes.

COMMISSIONER OKDIE: Who am I asking the question
to?

CHAIRPERSON GRIFFIN: To the Chief.

COMMISSIONER OKDIE: You're going to answer the question, Chief?

CHIEF EVANS: I don't know what the question is, but okay.

COMMISSIONER OKDIE: The monetary donations and expenditures and etcetera, it's kind of vague to me who you're expecting to get donations from. That's the first question and then I've got some other questions.

CHIEF EVANS: We don't always know. The Detroit Police Foundation, for example, which is a foundation that helps to raise money. The money comes in from other charitable groups or families that are willing to make a donation, but if they're making a donation to a governmental agency, we need to have a process that accounts for what came in and the authorization that determines the expenditures of it. I think it's more trying to create the mechanism that is specific for money.

COMMISSIONER OKDIE: Let me ask this: Am I right to assume that we've never had any monetary donations from any individuals or foundations?

CHIEF EVANS: No, we have. There's no question that we have.

COMMISSIONER OKDIE: So what did you do before?

CHIEF EVANS: I can't answer that question because I wasn't here before. It probably was not the appropriate vehicle, Commissioner, to do it.

COMMISSIONER OKDIE: There's no constitutional mechanism to receive gifts and donations by anybody? There's no mechanism by--who receives the gifts?

CHIEF EVANS: Let me ask Deputy Chief Tolliver who is the budget person. She might have answers that I don't have.

DEPUTY CHIEF FIELDS: Very Briefly. Deputy Chief Fields. We come up with a policy every year on accepting gifts, donations, and grants. And in the past every time somebody wanted to donate something, no matter how small, we would have to go before the Board, the Chief, and City Council to accept an individual gift. This is just a mechanism to make it a little smoother.

DEPUTY CHIEF TOLLIVER: Good afternoon. Deputy Chief Tolliver. This mechanism is similar to the one that we setup with the Board two years ago. You may recall we setup a similar appropriation.

COMMISSIONER OKDIE: I'm sorry, I don't recall.

DEPUTY CHIEF TOLLIVER: We setup a similar appropriation so you all can accept gifts for some of the events that you have. So this is the same type of thing that we are doing.

COMMISSIONER OKDIE: Okay. Is this something that is mandated by law or is it something that we're doing because we want to make sure that there's no appearance of impropriety or what have you.

DEPUTY CHIEF TOLLIVER: It's mandated and that we will be changing the budget. If we accept revenues, we can't appropriate those revenues without authorization from City Council. So we've come to this body for your authorization and upon your approval the City Council will also approve the resolution. It's only at that time that we can accept money and then spend it for various reasons.

CHAIRPERSON GRIFFIN: This expedites that process?

DEPUTY CHIEF TOLLIVER: Yes, it does.

CHAIRPERSON GRIFFIN: And gives transparency to it?

DEPUTY CHIEF TOLLIVER: Yes, it does.

CHAIRPERSON GRIFFIN: And you're saying, not to try to be legal, but you're saying that a precedent has been set that this Board approved a similar policy?

DEPUTY CHIEF TOLLIVER: Yes, there is a precedent. There is a similar fund setup in the Recreation Department for gifts and for people to purchase out of a catalog they have. So what happens when revenues come in, they are put into a gift account and it's kept track of and then the individuals receive a gift receipt at the end of the year.

CHAIRPERSON GRIFFIN: So are there periodic reports that go forth on what you've received and the disposition?

DEPUTY CHIEF TOLLIVER: Yes, and we are coordinating this with the Finance Department to make sure that everything is done properly.

COMMISSIONER OKDIE: Is there a policy that's been developed or is being developed with regards to this process?

DEPUTY CHIEF TOLLIVER: The policy is we cannot spend dollars that we receive without City Council's approval. That's the policy. So if we have an individual who would like to make a donation we would like to have something setup similar to what the Board has. If we receive donations we can't spend it without authorization.

COMMISSIONER OKDIE: I get that part.

CHIEF EVANS: What this does is keeps us from coming in on every gift that comes in individually and coming to the Board and asking specifically for each gift. This creates a vehicle so that when gifts comes in--

COMMISSIONER OKDIE: Okay. I got that part. What I'm asking is: Are you developing a policy? Is this mechanism that's being talked about, is it being written into a policy or is it just something that somebody's going to do? See, it seems to me like you're going to have a policy. If somebody gives you a gift, there's a policy that says how you're going to take

it and how you're going to receive it and what timelines are before making sure Council knows about it and the process they've got to go through. You're going to codify the process; are you not?

DEPUTY CHIEF TOLLIVER: With the assistance of the finance director and the finance department, yes.

CHIEF EVANS: I think the policy is in place. The checks and balances are there that it must go to Council, that it must get those policy approvals. On the very front end, what's being asked is rather than come to you each individual time, can we create a vehicle that will allow for Board approval for gifts that come in? We're still going through the Council process, the budget process, and the appropriation process. So I think, as I understand your question, Commissioner, the process is still in place. This is a front-end policy.

COMMISSIONER OKDIE: Okay. I'm not going to belabor point, but it just seems to me that you're asking for us to approve something and I want to know if we're approving a policy, a procedure, a process. I don't know what this is, but I'm not going to belabor the point.

CHAIRPERSON GRIFFIN: Did you have a question?

COMMISSIONER RIVERA: Very briefly. Can you give us an example of some of the donations that we have received?

Are we talking large amounts of money, small amounts of money, or both?

DEPUTY CHIEF TOLLIVER: Well, this letter that we're asking you to approve now is in anticipation of gifts that we may receive. There are individuals, who are interested in donating funds to the City, but we don't have a mechanism to setup that fund at this time, and so we must get City Council authorization first.

COMMISSIONER RIVERA: Okay.

CHAIRPERSON GRIFFIN: It's been properly moved and seconded. All those in favor acknowledge by the usual sign of aye.

COMMISSIONERS: Aye.

CHAIRPERSON GRIFFIN: All those opposed say nay.

(No nays were present or recorded.)

CHAIRPERSON GRIFFIN: So ordered.

(Board has given approval of Donation Resolution.)

CHAIRPERSON GRIFFIN: Next item on the agenda is Old Business. Any old business?

COMMISSIONER RIVERA: Yes. I had a request in for quite some time and I'd like it put on the record, please, to have a presentation from the Fire Department and EMS.

EXECUTIVE DIRECTOR GOSS: I have sent them your request 2-3 months ago and they have not responded. I will send them a follow-up.

COMMISSIONER RIVERA: You sent a request 2 or 3 months ago and they have not responded?

CHAIRPERSON GRIFFIN: Let me again explain. Commissioner Rivera happened to get involved personally with an individual that was found near death, I think at Palmer Park, a John Doe. I think the person was out jogging or whatever and there was a process that obviously things fell between the cracks because the family was not notified and nobody knew. The Fire Department and EMS said that it was DPD's responsibility, and we went back and forth on that. Commissioner Rivera has asked for those entities to come forward, the Fire Department which houses EMS, and then let us talk about what the protocol is. What is the policy? What do you do when you find a John Doe? And so let's go on the record. And please make the call as coming from the Commission, and if in fact, since it's been about three months, please give a date. I'm not trying to create enemies, but if we have to subpoena them in order to get them to come, then we will do that. I want a report back that you got a report, therefore, one week from today on where we are with their request to respond to the Commissioner. Any other old business? Thank you.

Announcements. The next Board meeting is October 22 here at 1300 Beaubien.

I think what we're going to do today, and we may change our process, is that we're going to have our oral communications from the audience. Let's do that now. Listen carefully. You get four minutes, but I wish that I will respectfully request all those that are going to come before the Board to line up because we won't be acknowledging you if you wait until everybody gets through and then line up. So please come forward at this time.

LETITIA JONES: Just briefly. I work for the City of Detroit Law Department. On behalf of the City of Detroit, Assistant Corporation Counsel, Commissioner Rivera mentioned about the Fire Department, they have had a change in guard. So that might be why you haven't had a response. Charles Scott retired, Seth Doyle was the interim, and now James Mack is the current. I will call them after our meeting today, after our closed session, and make sure that someone contacts you.

CHAIRPERSON GRIFFIN: Make sure that they have absolutely received the request from the Board. I want to make sure that they won't say that they have not heard from the Board. I want to make sure that they've got something in writing that says that that request has come forward, and please let them know the sense of urgency because of the time lapse.

Not withstanding the change in organization. We respect and appreciate that.

LETITIA JONES: Thank you.

CHAIRPERSON GRIFFIN: Thank you.

EDWARD MOORE: Good afternoon to the Board. My name is Edward Moore. I'm the liaison here on behalf of the Honorable Kwame Kenyatta, our Detroit City Councilman. I want to say to the newly appointed Commissioner, the Councilman is standing with you. I would like to say to the promotion of the Deputy Chief and also our Inspector, the Councilman Kenyatta stands with you. I want to say to the Chief, Chief, you've got the ear of the Councilman and the Councilman is standing with you. I want to say to the Board, stay on point, and Councilman Kenyatta stands with you. Thank you.

COMMISSIONERS: Thank you.

PAUL BETTS: My name is Paul Betts, and I'm just a proud voting citizen of the City of Detroit. I called in earlier today and spoke with Ms. Washington and she told me to come forth to this meeting with this issue.

I have a 16 foot construction trailer, parked in North Rosedale Park that I brought in from the other side of the state. Through miscommunication of the owner of the house and his wife, she had it towed off the following morning not knowing whose it was. The issue then comes up that I went down to retrieve it from Michigan Auto Recovery, which is a vendor to

you guys. When I went down there I paid the bill on it, which was \$277. I went to retrieve the trailer from a different location, and at that location it had been broken into and over \$12,000 in itemized tools had been stolen from it, all four tires were flat on it, and there was damage done to the rear end on it. I contacted back to the owner of Michigan Auto Recovery I said, "Just give me your insurance company, and I will be happy to deal with it that way." He says--and I did a police report while I was at that site. They came and did it and I have the police report number. So when I went back to talk to him, he says, "We're not required to carry any insurance. We have no responsibility once it's on your property." He was very abusive and rude, and he says, "I'm not going to give you the insurance information or anything like that." He says, "You have no regress on us whatsoever. Besides I think the thing was unlocked." I went to the homeowner who initiated the police report, I'm sorry who had it towed. She signed a statement along with three other residents, stating that it was locked in the front, the rear, and on the side, and the front had the ball hitch lock on it so it couldn't be retrieved. Everyone said it was locked and it was put on there, but he says that he has no recourse or regress.

When you were talking about demeanor, I would be happy, I would love this Court if you would allow me to call him

and put him on speaker phone and let me ask him for his insurance number and the bonding number that he has so that I can deal with them. I promise you that you will find out what demeanor is all about. Anyhow, I went online and I checked all over and I could not find the City of Detroit's regulations and rules to give contracts to towing companies on what they're obligated to have and their responsibility to citizens. However, I did find in every contract in every other municipality in clear language it says that the towing company has an absolute responsibility for the safety and security of the vehicle and the equipment that was in that vehicle, and I can only assume that this City must have that same common sense.

I don't know what I can do and I actually did call to come here. I called City Hall, but it took me three phone calls and 45 minutes and I never could get a response from a person that answered the phone. Then I found this wonderful young lady's number online because she's on a task force.

I went to Jay's Soul Food Cafe, which I eat at every morning on Grand River. I go in there this morning and I asked, "Has anybody else ever had any trouble with towing companies and anything being stolen?" Every single person there, every one raised their hand every time we ever had towing a radio, our tires, everything has been stolen.

CHAIRPERSON GRIFFIN: Thank you. Stay right there. Chief, who's appropriate to handle this?

CHIEF EVANS: Commander Stair, Internal Affairs.

CHAIRPERSON GRIFFIN: Mr. Betts, would you step up, and Commander, would you raise your hand. Would you step out and help that gentleman.

PAUL BETTS: Thank you so much.

CHAIRPERSON GRIFFIN: Thank you for coming.

DANA LUNN: Hello, my name is Dana Lunn. I came down here to complain about the 9th Precinct and the service of the officers and the detectives down there. On the 27th of last month, which is September, I had a fight with three people. I called the police and they came out. They did not even listen to me because I was all hype and everything because the people I had a fight with I knew them, and all three of them jumped on me and I'm trying to explain to the officers and they're telling me this and that, and I said, "What do I have to do, go downtown to tell somebody what's happening?" They're telling me don't call off names, don't call off names and blah, blah, blah.

So I walked around the block just to get away from them, and I went to the police station that night. The officer there, Officer Lloyd, he still didn't take my complaint. I had to come down there the next day and talk to someone, the young man that was there, he took my complaint and called the

Detective, Detective Davis, and she's saying this and saying that. She said, "I'm not even going to talk to you guys. I'm tired of you calling me about this. I'm going to put a warrant out there for everybody."

All I'm trying to do is figure out why is it that no one would take what was happening serious. Not just because I had two brain tumor operations and I lost some of my eye sight that doesn't mean that three guys can jump me. I was trying to explain that to them and then the other officer, the detective, I can't think of his name. I got it written down. He was just rude about it and acted like he didn't have time to talk me about it.

CHAIRPERSON GRIFFIN: Just cutting you off just so that I can help you. What would give you satisfaction? What do you need today?

DANA LUNN: I wish someone would straighten the people out, the officers, well not all of them, at the 9th Precinct. I want to know why is it that they're so shabby down there that they can't do their job? They act like they don't want to do their job. They act like they don't want to treat the person that's innocent, as an innocent person they don't want to hear anything. They want to do what they want to do and say what they want to say, and if they don't like what you're saying, they'll just forget you.

I called down here to have somebody call down there to ask somebody to take down my report. And the Sergeant, she acted like she was having a problem. "Oh, no. This phone is ringing, my god." I said, "I just want to make a report."

CHIEF EVANS: Two things. One, sir, is what you're relaying now a one time incident or do you have past history?

DANA LUNN: Oh, I've had past history.

CHIEF EVANS: With the 9th Precinct?

DANA LUNN: With the 9th Precinct. I stay over there in the area and I just want to shout it out because it's ridiculous how they are down there at the 9th.

CHIEF EVANS: I'm going to have the Precinct Commander there call you tomorrow and talk to you on the phone about the situation, and let's see where you to get and then if you need to get back with me, fine. But I will create that dialogue with the person that runs that Precinct. I would be interested in you two talking and figuring out what's going on.

DANA LUNN: If you guys walked in and seen them at the 9th, you wouldn't want to believe it.

CHIEF EVANS: I've been down at the 9th, but it's not the same when I go in. But I will have the Precinct Commander call you, if you would leave that number, and then again, if that doesn't--if you're still totally uncomfortable

then you can call my office and I'll get back to you and get some response to you.

DANA LUNN: Thank you, because I don't know if I've got a warrant.

CHIEF EVANS: We'll find out and we'll take care of it.

CHAIRPERSON GRIFFIN: Thank you so much. We've seen all the members of the community. At this point in time, Mr. Goss, please.

EXECUTIVE DIRECTOR GOSS: Commissioners, you have a motion to a closed session. The proposed motion is the request has been made by Lisa Bryson, badge 706, Terence Washington badge 216, Police Officer Robin Winton, Badge 3130, Police Officer Antoine Ingram, badge 4069, and Police Officer Vaden Cook, badge 933. The motion needs to be made to move into a closed session pursuant to MCL 15.268A of the Open Meetings Act to review a personnel matter relative to Lisa Bryson, Terence Washington, Antoine Ingram, Robin Winton, and Vaden Cook.

ATTORNEY GOLDPAUGH: May I approach with respect to that. John Goldpaugh on behalf of the--

COMMISSIONER OKDIE: John there's a motion on the floor.

ATTORNEY GOLDPAUGH: I never requested a closed session with respect to Vaden Cook. That's all I wanted the Board to know.

CHAIRPERSON GRIFFIN: There should be a point of order in the future.

ATTORNEY GOLDPAUGH: I apologize.

CHAIRPERSON GRIFFIN: Motion so moved and seconded. All those in favor please acknowledge by the usual sign of aye.

COMMISSIONERS: Aye.

CHAIRPERSON GRIFFIN: All those opposed say nay.

(No nays were present or recorded.)

CHAIRPERSON GRIFFIN: Closed session. After closed session we'll come back and make our report and adjourn the meeting. Thank you.

(Closed Session approved and off the record.)

(Meeting adjourned at 5:07 p.m.)

Respectfully submitted,

DANTE' L. GOSS
Executive Director
Board of Police Commissioners

DLG/rb